

RESOLUTION NO. RS2018-1278 (O'CONNELL, BEDNE, & ELROD) –

RESOLUTION NO. RS2018-1279 (O'CONNELL, BEDNE, & ELROD) –

RESOLUTION NO. RS2018-1280 (KINDALL, BEDNE, & ELROD) –

These resolutions would authorize the construction, installation, and maintenance of aerial encroachments by Chang Ki Jo & Grace, d/b/a BAAM Burger, at 223 4th Avenue North (RS2018-1278), by 4 Pant, LLC at 210 4th Avenue North (RS2018-1279), and by West End Smiles PLC at 1800 West End Avenue (RS2018-1280).

In each instance, the applicant must indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the sign, and is required to provide a \$2 million certificate of public liability insurance with the Metropolitan Clerk naming the Metropolitan Government as an insured party. The applicant must also hold the Metropolitan Government harmless from all claims connected with the installation.

The Metropolitan Government retains the right to pass resolutions or ordinances regulating the use of surrounding streets, including the right to construct and maintain utilities, and to order the relocation of facilities at the expense of the applicant. Metro further retains the right to repeal approval of the encroachment without liability.

Plans for the encroachment must be submitted to the Director of Public Works for approval, along with all work and materials; and the installation, when completed, must be approved by the Director.

Each sign's construction must be carefully guarded and completed promptly so as to cause the least inconvenience to the public.

These proposals have been approved by the Planning Commission.